

Mylor Yacht Club Safeguarding Adults and Children Policy and Procedure Version 1.2

Policy Statement

Mylor Yacht Club (MYC) is committed to safeguarding adults and children at risk taking part in activities from physical, sexual, psychological, emotional or financial harm or neglect. We recognise that everyone, irrespective of age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, pregnancy and maternity, marriage or civil partnership status, has a right to protection from discrimination and abuse.

MYC takes all reasonable steps to ensure that, by providing staff and volunteers with appropriate procedures and training, it offers a safe environment for all participants. Everyone will be treated with dignity and respect.

All Club members and volunteers should be aware of the policy, and the Club will appoint a 'Welfare Officer' who will be responsible for implementing the policy and will act as a point of contact who will be available for advice on matters concerning vulnerable adults and children, maintain an up to date policy for both adults and children, advise the House Committee on Safeguarding matters when they are expecting to be working with, or helping, in any projects that include the vulnerable. They will also act as the 'point of contact' to deal with issues that arise from inappropriate care of the vulnerable, liaising with the police and/or Social Services.

Everyone in the organisation should know who the Welfare Officer is and how to make contact.

Club Welfare Officer – Designated Person

This will be a club member and has an open invitation to the House Committee.

The club Welfare Officer is:

Mrs Pat Bartholomew
Mobile: 07834 516332
E-mail: welfareofficer@myloryachtclub.org.uk

The remit of the Welfare Officer will be:

- To safeguard children and adults, both on and off the water
- To assure children and adults at risk, and their carers where relevant, are safe when taking part in activities arranged by MYC
- To raise awareness amongst all members, volunteers or employees so that they know what to do if they are concerned about a child or adult

What is an 'Adult at Risk' or a 'Vulnerable Adult'

The term 'Adult at Risk' as defined by the Care Act 2014 applies to people aged 18 or over who are in need of care or support, regardless of whether they are receiving such services, and because of those needs are unable to protect themselves against abuse or neglect.

There are also adults who are at risk due to specific circumstances they may find themselves in, for example: domestic abuse, forced marriage, sexual or commercial or financial exploitation. Adults at risk may include individuals who are vulnerable as a consequence of their role as a carer.

In the sailing and boating context, we may find ourselves working with:

- People who have a physical disability, whether from birth or acquired through injury, illness or advancing age, ranging from those who depend on others for physical care and support
- People who are blind or visually impaired, who may need to be guided around the site and when getting on board, and sail with sighted crew
- People who are deaf or have impaired hearing, whose needs are largely connected to communication and inclusion
- People who have learning disabilities or who for some other reason (eg brain injury, dementia) may have the capacity (see Mental Capacity below) to make independent decisions or to assess risk
- People who are on the autism/Asperger spectrum
- People who are experiencing mental illness

Mental Capacity and Consent

Although many of the good practice guidelines and principles to be followed when safeguarding children and adults are similar, there is a key difference.

In the case of a child, there is a clear duty to act if we suspect that the child has been harmed or is at risk of harm. In the case of an adult, the starting assumption must always be that they have capacity to make a decision and have the right to do so. If there is an allegation or concern about an adult who has capacity, their consent must be obtained before any referral is made, unless others are at risk of harm. No information should be given to the adult's family or carers without their consent.

If the adult does not have capacity and is unable to give consent, the needs of that person should be discussed with their carer.

Mental capacity refers to the ability of an individual to make an informed decision. Examples of this might be:

- Understand the information relating to this particular decision (including its benefits and risks)
- Retain the information for long enough to make this decision
- Weigh up the information involved in making this decision
- Communicate their decision in any way

Staff and Volunteers

The Flag Officers and House Committee members will ensure that all MYC staff and volunteers who regularly instruct, coach or supervise adults have read and understood the Mylor Yacht Club Safeguarding Adults and Children Policy and Procedure. The Club Welfare Officer will keep an e-mail record of confirmation from those MYC staff and relevant volunteers of them having read the policy and procedure.

MYC volunteers who are likely to come into contact with vulnerable members three times in a 40 day period are required to get a Disclosure and Barring Service (DBS) check.

It is a criminal offence under the Safeguarding Vulnerable Groups Act 2006 for a Barred individual to work in Regulated Activity, for an organisation to knowingly allow someone who has been Barred to work in Regulated Activity/Work, and for an organisation to fail to make referral to the DBS if they have dismissed someone from Regulated Activity/Work for harming or posing a risk of harm to a vulnerable person.

Good Practice

All members of the Club should follow the good practice guidelines published by the RYA and those working with adults at risk should be aware of the guidelines on recognising abuse.

Concerns

Anyone who is concerned about the welfare of an adult, either outside the sport or within the Club should inform the Club Welfare Officer immediately, in strict confidence.

Minimising Risk

To plan the work of MYC and promote good practice to minimise situations where people are working unobserved or could take advantage of their position of trust. We believe that good practice will protect everyone – participants, volunteers and staff.

These common sense guidelines should be followed to reduce the risk:

- Always communicate clearly, in whatever way best suits the individual, and check their understanding and expectations
- Always try to work in an open environment in view of others
- Avoid spending any significant time working with adults at risk in isolation
- Do not take an adult at risk alone in a car, however short the journey, unless you are certain that the individual has the capacity to decide to accept a lift
- Do not take an adult at risk to your home as part of your organisation's activity
- Where any of these is unavoidable, ensure that it only occurs with the full knowledge and consent of someone in charge of the organisation or the person's carers
- Design activities and training programmes that are within the ability of the individual
- If you need to help someone with a wetsuit or buoyancy aid or provide physical assistance or support, make sure you are in full view of others
- Take great care with communications via mobile phone, email or social media that might be misunderstood or shared inappropriately. In general, only send group communications about organisational matters using these methods. If it is essential to send an individual message to a person who has a learning disability or other impairment that might affect their understanding, copy it to their carer

You should never:

- Engage in rough, physical or sexually provocative games or activities
- Allow or engage in inappropriate touching of any form
- Use inappropriate language
- Make sexually suggestive comments, even in fun

- Fail to respond to an allegation made by an adult at risk; always act
- Do things of a personal nature that the person can do for themselves. It may sometimes be necessary to do things of a personal nature to help someone with a physical or learning disability. These tasks should only be carried out with the full understanding and consent of both the individual (where possible) and their carers. In an emergency situation which requires this type of help, if the individual lacks the capacity to give consent, carers should be fully informed as soon as possible. In such situations it is important to ensure that anyone present is sensitive to the individual and undertakes personal care tasks with the utmost discretion

Responsibilities of Staff and Volunteers

MYC will make sure our staff or volunteers are given clear roles and responsibilities, are aware of the organisation's safeguarding policy and procedures and are issued with guidelines on:

- Following good practice
- Recognising signs of abuse

Individual Responsibility and Club Liability

MYC organisers of training or coaching sessions have a duty of care to their members and must ensure that on water activities are conducted safely. Adults are normally responsible for their own safety, welfare and behaviour. In the case of a person who lacks the capacity to take responsibility for their own welfare, the Club may require a carer or designated adult to be on site. It must be made clear at what point responsibility transfers from the instructor, coach or organiser to that person.

Recording and Handling Information

If you suspect that an adult at risk may have been the subject of any form of physical, emotional or sexual abuse or neglect, the allegations must be referred as soon as possible to Adult Social Care who have trained experts to handle such cases. Do not start asking leading questions which may jeopardise any formal investigation.

A leading question is where you suggest an answer or provide options that only need a 'yes' or 'no' answer, instead of allowing the person to explain things in their own words. An example would be asking 'did X hit you?' instead of 'how did you get that bruise?'. Use open questions such as 'what happened next?'. Only ask questions to confirm that you need to refer to the matter to someone else. If the person has difficulty communicating, ask them if they would like someone to assist or interpret, but do not assume that they want their regular carer present.

Listen and keep a record of anything that person tells you or that you have observed and, with their consent where possible, pass the information to the statutory authorities. Care must be taken to distinguish between fact, observation, allegation and opinion. It is important that the information is accurate.

All information must be treated as confidential and only shared with those who need to know. Confidential information will be processed, stored and destroyed in accordance with MYC's Data Protection Policy.

Procedures

If a problem or issue arises with a vulnerable adult during the time they are participating in some Club activity it is the responsibility of the lead Club member at the time to take the correct action:

Policy Distribution

- This policy will be ratified by MYC Flag Officers and House Committee and the details recorded in House Meeting minutes
- The policy will be sent to all Club trainers who will confirm by e-mail to the Welfare Officer that they have read and understood the policy
- The policy will be made available to all members via the MYC website
- The Welfare Officer photograph and contact details will be displayed on the Training board in the MYC clubhouse

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Pat Bartholomew
MYC Welfare Officer